

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 PM on Tuesday, October 18, 2016, in the Council Chamber, Borough of Hillsdale, New Jersey.

The meeting was called to order by Mayor Frank who also led the Salute to the Flag.

OPEN PUBLIC MEETING STATEMENT:

This is a meeting of the Hillsdale Borough Council on this 18th day of October, 2016. Notice of the time and place of this meeting has been provided to The Ridgewood News, Pascack Press, The Record and Community Life; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

Please notify the Acting Municipal Clerk for any disability requirements necessary for attendance at Mayor and Council meetings. The fire exits are located through the double doors to your left. Please silence all cell phones and pagers.

ROLL CALL:

Council Members DeRosa, Karcich, Looes, Lundy, Ruocco, Council President Pizzella
(Mayor Frank, Borough Attorney Madaio, CMFO Jonathan DeJoseph, Acting Borough Clerk Kohan)

Mayor Frank stated that before we get into the regular Agenda he has one topic he would like to cover as he sees a number of people here who are very interested in it. We had a meeting on Saturday with people with great concerns over the traffic problems we are experiencing on the west side of town. Tonight we have a resolution No. 16227 which is at the last portion of the meeting and if you wish to stay you are welcome but you will have to remain until the end of the meeting. The resolution is the emergency road closure and emergency no parking on municipal streets west of Pascack Road. He said he will read the resolution as it is very important to many.

WHEREAS, the Mayor and Council of the Borough of Hillsdale have been made aware of a dangerous condition on the west side of the Borough due to the volume of vehicle and pedestrian traffic; and

WHEREAS, the situation has become untenable and a matter of public health, safety and welfare for all persons in emergency services personnel; and

WHEREAS, the Hillsdale Police Chief concurs with the severity of the situation and as the situation has become an imminent danger to all persons; and

WHEREAS, the Mayor and Council are required to act to rectify the situation on an emergency basis and assure public health, safety and welfare; and

WHEREAS, Borough Code 292-3 authorizes the Chief of Police to take emergency measures including the closing of any street and the Police Department is authorized to implement emergency No Parking;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hillsdale hereby directs that the Chief of Police take all steps necessary to protect health, safety and welfare through

emergency road closures and emergency No Parking as necessary on Borough streets west of Pascack Road between the hours of 7:00 AM and 6:00 PM on the following weekends: October 22nd and 23rd, October 29th and 30th, and November 5th and 6th 2016.

There are no more details that we will be able to give out tonight at the meeting, they will be implemented in the next day or two and we will communicate the information as we get it. Just in case you were concerned and here for, this is being addressed and will be passed tonight.

Mayor Frank said we will skip appointments because we didn't communicate to some of the people. However, we do have one.

Councilmember DeRosa said the Recreation Commission is composed of nine volunteer residents and by ordinance, two of those nine are students between the ages of 14 and 17 and they represent the youth of Hillsdale. One of the two student members has graduated and on to college and we have an open position. As the Recreation Liaison, he contacted the Principal of Pascack Valley and asked him if there were any students he would recommend for the position and gave him three very strong candidates and they submitted a brief with the reason why they felt they would be good on the Commission. It was a difficult decision but he would like to suggest to the Council that he nominate and approve Jenna Szabo. In her brief statement why she wanted to serve was because she remembers fond times being involved in the Rec Programs here, her parents are very much involved in volunteering and also her tenure on Student Council she feels would serve her well. We had three strong candidates but he nominated Jenna.

Mayor Frank asked for a motion for approval.

Motion to approve was made by Councilmember Lundy, seconded by Councilmember DeRosa, and unanimously carried.

Mayor Frank administered the Oath of Office to Jenna Szabo as Student Member of the Recreation Commission for the term expiring December 31, 2016.

APPOINTMENTS:

Jenna Szabo – Recreation Commission – Student Member
12/31/2016

Term Expires

Motion to Record: Councilmember Lundy, Second: by Councilmember DeRosa, and unanimously carried.

OATH OF OFFICE:

Jenna Szabo – Recreation Commission – Student Member
12/31/2016

Term Expires

PROCLAMATIONS:

PRESENTATIONS:

Presented by Abby Lundy/Dave Franz
Cindy Greenwald – 25 Years of Service

Presented by Chris Looes/Barbara DeCaro
Lois Kohan – 25 Years of Service

Presented by Elizabeth Ward
Hillsdale Food Panty – Board of Trustee – Summer Concert Series Donation

Mayor Frank said the first presentation we will have is by Dave Franz, Director of our Library, and Abby Lundy who is the Liaison to the Library.

Dave Franz said it is an honor and privilege to introduce Cindy Greenwald. Many of you know Cindy as the Children's Librarian at the Hillsdale Library and has served many of your children over the years. We are celebrating her 25th year of service to the Town of Hillsdale. When he was interviewing at the Hillsdale Library in 2001, he knew nothing about children's services and when he walked through the children's library and talked to Cindy I was assured I wouldn't have to worry about the children's room for all the major renovation projects. In 2016, Cindy Greenwald served the Borough of Hillsdale for 25 years, Cindy started as a Library Assistant in 1991, and to full time Children's Librarian and has faithfully served in that capacity for 20 years; one full quarter of the Library's 80th year anniversary this year. Cindy's passion is for collections, all about kids, and is freshly stocked with new books and media with interest in changing generations. Her services are distinguished by managing one of the busiest children's libraries in the Bergen County Cooperative Library System. We have seen the annual circulation of the libraries; in fact in 2015, the children's performance was better than 31 other libraries in the system. We are always proud of that. The Children's Librarian is one of the first public figures that a young child will encounter; she is entrusted for their future success in the course of 1000 story times. In annual summer reading programs, Cindy Greenwald's dedication to Hillsdale remains fantastic.

Mayor Frank said our second presentation is for someone we all know and asked Chris Looes as Liaison to the Board of Health and Barbara DeCaro the President of the Board of health to handle the presentation.

Councilmember Looes said on behalf of the Board of Health to honor one of our members who has been here for 25 years in many different aspects of Public Health Nurse, a volunteer in town for every aspect of health; the pantry and Board of Assistance; she is involved in everything at Hillsdale House. This is what Hillsdale is about, not that they are just an employee and they clock in their time but they give their heart. We are very fortunate that we have somebody in Lois Kohan. One of the greatest things I have done in the past four years that I have been involved in Council is meeting people like Lois who I may not have had that opportunity. This is to certify that Mayor Douglas Frank hereby presents a Certificate of Recognition for her 25 years of service to the Board of Health on the 18th day of October 2016.

Mayor Frank said if there is anyone that symbolizes the heart of Hillsdale, it is you, you are the heart of our town.

Lois Kohan stated thank you everyone in this wonderful Community of Hillsdale. She didn't come here for this; I came here on behalf of the Food Pantry because the Food Pantry was supposed to receive this. This is lovely and it has not been a job for 25 years, it has been a love for nursing in my town. I am doing God's work, that is all I am doing and thank you all. Don't forget the Food Pantry please.

Elizabeth Ward, Hillsdale Food Pantry.

Elizabeth Ward said we come before you tonight and said she is Director of the Summer Concert Series and throughout the summer we had nine concerts and at each and every event, we collected non-perishable food items and cash donations for the benefit of the Hillsdale Helping Hand Food Pantry. We also donated about 12 bags of food throughout the summer to the Pantry. We have members of the Board of Trustees of the Hillsdale Helping Hand Food Pantry, Jodi Soluri, Tracy and Lois and Roy Kohan. The Hillsdale United Methodist Church has been a wonderful sponsor since I took over about five years ago. They offered their parish hall as an alternate rain venue and the parishioners prayed every week for good weather and we have never had to go indoors. We had an incident with lightning strikes in the area this summer but they did a great job for us throughout the years. Councilmember Looes and I are going to present to the Hillsdale Helping Hand Food Pantry a donation check in the amount of \$358 collected from all the concert goers throughout the summer.

Councilmember Looes said the Food Pantry was a Boy Scout project 24 years ago and it was a great idea to have a food pantry in Hillsdale. From that idea and the different things we found from our Boy Scouts on their Eagle Projects do for our community. It caters to people in need in our community so if it is dropping off a bag, dropping off gift certificates from Shop Rite, participating in the drive for the Holiday and the turkey drive in November.

INITIAL PUBLIC COMMENT (Time limited, new topics only, one speaker per topic):

Mayor Frank said this is a brief period for public comment and it is time limited for each speaker, for new topics only, for topics not covered in previous meetings and we would like one speaker per topic. We have our regular public comment section later in the Agenda but this allows those who have just one topic not to have to wait for the full Agenda. For anyone who would like to speak, please raise your hand, come to the podium and give your name and address.

Patricia Mauro, 238 Knickerbocker Avenue –

As the governing body, you are held to higher standards. On 9/11 only three members of the Council showed up to pay their respects and also of the three members, two of the members just stood there and never had their hand on their heart. That sent up the wrong message to members of the community. As the governing body you are held to a higher standard and there should have been a hand on the heart as others were saluting. You mentioned traffic problems; her concern is with Waste Management and the apartments. Before she moved into Hillsdale 12 years ago we checked with the neighbors on Knickerbocker Avenue regarding Waste Management while it was there. The neighbors told us there used to be a litter stench but not anymore. We were thrilled to hear that, we didn't hear the trucks; the noise was not a problem whatsoever. I am highly against the apartments because that is going to create more traffic but it is going to put a greater strain on our emergency services. Hillsdale has an Ambulance Corp but has one ambulance and they go out on quite a few calls and they assist other towns. The Fire Department has their hands full as it is and the Police as well. You are talking about traffic problems; you know what Broadway is like on a Saturday. It is backed up from the center of town to Shop Rite. If you have apartments there, there will be more traffic and not only apartments, you are going to add low income housing and that will put a strain on our schools. It is going to add more children making our schools over crowded. It means funds for certain things and are going to get restricted for things such as free lunches for the low income apartments. I am highly against the apartments and I have no problem with Waste Management and my neighbors have no problem with them either.

Seeing no one else, Mayor Frank closed the session to the public.

APPROVAL OF MINUTES:

September 13, 2016 Council Meeting Minutes

Motion by Councilmember Looes, Second by Councilmember Karcich, and unanimously carried.

PROFESSIONALS REPORT/MONTHLY DEPARTMENT HEAD REPORTS:

(The following correspondence on file in Borough Clerks Office)

Police Report – *September 2016 Report*
Borough Engineer – *September 2016 Report*

Chief Robert Francaviglia
Christopher Statile

COMMITTEE REPORTS:

Councilman - Anthony DeRosa
Councilman - Scott Karcich
Councilwoman - Chris Looes
Councilwoman - Abby Lundy
Council President - Frank Pizzella
Councilman - John Ruocco

Police Chief Francaviglia said we had 90 dispatching shifts and all were covered and no overtime. There were 325 motor vehicle stops, 204 summonses issued as well as nine criminal arrests. Our solar signs have been installed as we discussed at the beginning of the year, we have a flashing stop sign at Washington Avenue and Kinderkamack Road and have received good comments on that. We will check statistics and will report back to you as far as a help with traffic accidents. There is a speed alert sign at Ruckman Road in the school zone and if you are south bound on Ruckman Road and enter the school zone, there is a flashing light and alerts to speed. Unfortunately now it is getting repaired but should be up and going in the next month or so. If you drive up Broadway there is a speed alert sign as you come into town travelling south bound on Broadway by the Verizon building. We had a pedestrian crossing sign at Yesler Way and Hillsdale Avenue by the Library which also will assist our Crossing Guard as well.

Suez installed a digital speed sign on Church Road as we had complaints about speeding cars. His office conducted jay walking detail in our business area, there were 20 warnings given and the violators were handed a flyer in reference to the dangers of jay walking. Mobile drug take back was conducted at Hillsdale House and well received there. The Officer Phil Program which created safety is a funded program and features students in Kindergarten through 4th grade about bullying, internet safety and other topics in a positive way offered at Smith School and St. Johns. He is proud to announce for the second time in a row, we had sent 15 officers from the surrounding area to Mexico Tech which is in Mexico and they learned about active shooter and terrorism training and the towns participating were Hillsdale, River Vale, Old Tappan, Emerson, Westwood, Woodcliff Lake and Montvale for a total of 15 officers. There was no cost to the municipalities and this was a federally funded program for homeland security. We just were approved by dry solar to get a grant for an extra \$5000 that puts more officers on law enforcement during the holidays from December 9 to January 1, 2017. He will report findings on that as well in January.

To date the Borough has received \$286,000 in equipment from a federal program and we received trucks, chain saws, trailers, light powers, back packs, all sorts of things necessary for the Borough. We are still looking for any other equipment for DPW or anybody else that needs something. It is all paid for by our tax dollars.

Mayor Frank said Officer Kaplan takes care of that and congratulated him and he has done a great job.

CMFO DeJoseph thanked the Chief for the last payroll, first time in 20 years we did not have overtime. That is a great accomplishment. We are one of the very few towns in Bergen County who have accomplished that.

Mayor Frank said it is a well-managed department and we are fortunate.

Borough Engineer Statile said we concentrated the last weeks on getting our roads paved under the 2016 Road Program. We concentrated around the White School. We have received funds for Public Transportation Projects and Hillsdale Avenue is a problem and he met with the contractors this morning and we will have a schedule shortly to get the projects started. The platform enclosure for the swim club is scheduled for the October 27 Planning Board meeting to make a recitation for the capital project review. We have only one application on for that night.

Councilmember Looes said they will opt to go as scheduled in November.

Riverside Culverts Project was awarded and we had a preconstruction meeting with the contractor, RCA Construction, and they will start the project in the next week or so. At Centennial Field we will be meeting with DEP in early November to review our closure plan. Meanwhile we have been doing sand bar testing and our consultant has also sampled our gas tanks for the first time. There has been nothing out of the ordinary, gas not detected, so that is good news. The state requires all these tests be conducted and we meet with the DEP representatives to reduce the costs as there is no sense in repeating tests. Our consultant is very fluent.

Mayor Frank asked if that would be going to annual or bi-annual.

Statile said water quality testing is semi-annually and saves about \$6000 a year.

Mayor Frank asked if we have contacted our representative from Local Government Services at DEP.

Statile said our consultant doesn't want to contact with anybody at the state yet.

Mayor Frank said the new representative came by and introduced herself and asked how she can help us.

Statile said we also spent time on grant applications, real estate applications to the county; one is for the band shell and site improvements \$30,000. The second application is for parks, \$20,000, open space. He will submit applications for curb cuts, most of the communities can only get funding for handicapped accessibility and they do fund new curb cuts so we will apply for \$45,000 for that program. That is full funded, no match for the Borough. Grant applications for Patterson Street and Hillsdale Avenue, he wanted the Council to be aware that any contributions made by anyone on Patterson Street will be used for the project. There was a request by Verizon to install poles in town. They have to request permission because they are not franchisees and he explained the construction to the Council.

Councilmember DeRosa said he read through this and it seemed to him they had some kind of collusion with the state that we didn't have a choice, they were going to do this similar to certain things. If you have a problem with how it looks they will work with you but they are going to ram it down our throats. That is for

Verizon and what is going to stop MetroPCS or Sprint and then all of our utility poles are loaded. It is going to create all sorts of noise for amateur radio people and he wasn't very happy when he read that. Statile said the Council knows he doesn't like solar panels on utility poles and we have a couple in the industrial zone and he is very conscientious about this. He wants to proceed with this very cautiously and wants some idea of what is going on with Verizon. Under federal law you cannot stop cell towers or wireless communications.

Councilmember DeRosa said another thing he did not like is we have to let them on the poles but we get no financial compensation even though we own the right of way.

Statile said we generate electricity in our public right of way and he feels the pain using the right of way for private enterprise. He was in favor of alerting the Council.

Mayor Frank asked if he could very briefly explain to the Council and the public what the status is of the PSE&G upgrade and how we are working with them on appearance standpoint without getting into the technical details.

Statile said currently there is an application for the third phase of the public service station stanchion. The first stage is the expansion; one aspect of the project is constructing a gate for high voltage housing for many switches, etc. The Planning Board agreed to give the architect an office to get the visual aspects of the building to look right. There will be special features of the building to make them look right. A suggestion was that Public Service plant trees in the public right of way. The application is scheduled for a second hearing on Thursday night. We want to be sure we get restitution for the trees that are being removed. We are staying on top of the project.

Mayor Frank said the project still has another year and a half to go.

Engineer Statile said two years.

Mayor Frank said it is important that people know what the Planning Board and Engineer are doing to make this substation a lot better than the one that is there now. At quick glance this might look like an office building or an apartment building.

Councilmember Ruocco asked if the active methane monitoring system used at Centennial fully effective operationally. You indicated a need for repairs.

Engineer Statile said we contacted the vendor because the equipment is guaranteed and we wanted the vendor to come back and fix the equipment.

Council President Pizzella said he feels there is some confusion as to what the Beechwood Park Grant application is going to cover. He asked Statile to clarify what that grant, if we receive it, would actually cover, and it is not just the band shell.

Statile said it covers some basic repairs to the band shell; replace some of the acoustical panels. It also includes some furniture and tables as well as some exercise equipment. It's not a lot of money, the band shell needs repair and we would try to do some of the other needs.

Council President Pizzella said there is some confusion and asked if he could explain and clarify what the NJDOT Grant would cover, the areas, the streets specifically.

Statile said it would cover Patterson Street from Orchard Street north to Parkview Drive as well as Hillsdale Avenue, Broadway and Kinderkamack Road. We control a section of Kinderkamack Road and would like to dress it up. We would like to use of that grant application for the work being done at the train station.

Council President Pizzella said that was his understanding and that is what we discussed that it was going to delineate and confirm what our business district was and it was going to allow better access to transportation. Those working in the business district could get to the train, get the buses, get to the police, the Fire Department, town hall, George White School and beyond.

Mayor Frank said that is a federal grant with no match.

Statile said with this kind of money NJDOT they prefer larger grant applications. When you get the grant there is a lot of paper work involved.

Mayor Frank said that would be a great plus to get that amount of money back from the federal government to improve the infrastructure of our town.

Councilmember DeRosa said the Regional Board of Education met a couple of times since we had our meeting. Ken Ralph was the newly appointed member from Hillsdale and he congratulated him. Pascack Valley Music Teacher Art Gene Sefari was named New Jersey's Teacher of the Year. He thought it might have been just in the music teacher category, it is across the state. She is the No. One Teacher across the state and we have her at our high school. She competed in regional, county regional competition and now she moves on nationally so she will taking a sabbatical and will be at the White House for a chance to be the best teacher of the United States. It is an example of the quality of educators we have.

The Board of Education has considered a policy to arm the security officer that they have. There is a Bill before the governor to designate a specific Class III Officer who concentrates on school security. The Board felt in the abundance of safety it is best to act now and not wait until the Bill is approved. They have come up with guidelines; they work closely with our Chief of Police, Chief of Police in Montvale and had two meetings with the public for a question and answer session. Last Monday they had the first reading of the policy and this coming Monday they will be voting on it. In Hillsdale, we have an ex-Chief and an ex-Captain who are our safety officers and they know the town, they know the people and they know the kids and it works out very well for us.

The Rec Commission is working on improving procedures and processes for tracking coaches certifications such as Rutgers Certification, finger printing. They expressed concern over the availability of the Smith School field in light of the parking situation on the west side of town because many games had to be moved from those fields to other fields in town. There is a Rutgers safety course so anyone interested in coaching any sport at all in our borough must be Rutgers certified, it is a onetime course, we offered it once in Hillsdale and we are offering it again in November; it is on the website and you don't have to do it every year. The Hillsdale Football Association had their first annual 5K Race and it worked out well. They had 170 runners.

Members of the Ambulance Committee met with some members of the Ambulance Service to go over some of their needs, perhaps week day drivers and they are pursuing a grant for a new ambulance. We are blessed

with our ambulance service, they are volunteers, they respond to 900 plus calls a year; it is far more than most municipalities. In a 24 hour period, four calls for our ambulance went to Washington Township, two to Westwood and only two to Hillsdale. Hillsdale is always available and we are lucky to have them.

He reminded residents that they will welcome any kind of contributions, they do not charge for any of their services, so please consider supporting them.

Councilmember Karcich said the last vegetative waste pickup will be October 25. We will start, weather permitting, the collection of leaves on the 31st and end it December 11. We have a leaf hot line to check the status and that is 201-497-1579 or check the website for an update. We will split the town in half this year, we will go from Broadway to Craig Road and everything in between will be considered the west side of town; from Broadway to Cedar Lane and everything in between will be considered the east side of town. There will be a crew on both the east side and west side of town, each crew will consist of one loader, two garbage trucks and we will take care of the leaves both sides of town simultaneously. They have started to pick up some leaves and we have hired some temporary laborers and are trying to get the leaves off the street as fast as we can. If you have any questions call the hot line and there is a yellow flyer available at the town hall and notifications will be in the mail and giving instructions on handling of leaves.

The Fire Chief wanted him to thank everyone who braved the weather to attend the open house we had on the 9th and on October 20, the fire house will have a barbeque for the residents of Hillsdale House and on the 21st the Ladies Auxiliary will have a fund raising dinner and on October 23, a truck will go to Smith School PTA for a Touch a Truck Event; on the 29th a rescue truck will be escorting the Ragamuffin Parade. We congratulated Keith Durie and Libby for the community service award.

Mayor Frank said we don't pick up vegetative waste after the 25th of October; any time after that you can take it yourself to DPW and dump it there. If you miss the leaf deadline you can bring them to the DPW.

Councilmember Looes provided a quick update on the Planning and Land Use Board report and their suggestions about ordinance changes to streamline the process when you are making improvements to your home. We went over the nine suggestions, half the suggestions were easily figured out, the others require more research. She spoke to Patrick, our Tax Assessor, to get a handle on the zoning of taxation on two-family homes and in Hillsdale; there are no two-family homes. It is trying to get a handle on different things. Hopefully next month we will have a concrete report.

Councilmember Lundy said the Library Board met last night and they are currently in the process of getting some proposals to do painting and changing carpets that need repair or changed. They also introduced their 2017 budget which will be approved at their next meeting and then provided to the Finance Committee when they meet with each department.

Stonybrook's revenue number for this year, once they receive an additional fee from the camp, and once that is received the revenue will total \$812,684 compared to last year \$786,851. There is a nice increase. With regard to the dome, the Pool Commission is still meeting with the engineer, attorney, finance committee, Mayor and discussing the possibility of that project. They will go before the Planning Board in November.

Council President Pizzella said Historic Preservation has had several meetings and are now focused on the Halloween event that seeks to raise money for the Hillsdale Railroad Restoration Project. We applied for a grant to restore the train station and specifically fix the roof. This is a joint effort between Historic

Preservation, Recreation Committee, Hillsdale Police Department and it will take place October 22 and it is from 3PM to 8PM. It is a great event. He encouraged everyone to attend. The grant was an open space grant and we received a revised lease renewal for another 20 years and he asked that our attorney review that, have it executed as soon as possible, and as soon as it is executed, he will with the Borough Administrator and the Borough Engineer contact the County and determine the next steps necessary and he will then provide a proposed process for the Mayor and Council. We also provided our comments to Woodcliff Lake who has sent us a proposed agreement regarding the four town walking path. There is a meeting next week with Suez and Ed Alter will attend as a representative of the Environmental Commission. He is unable to make that meeting and report back. We have many concerns regarding the agreement which is why we have not presented it to the Council. He will first work up those issues. The Environmental Commission had provided recommendations to the tree maintenance ordinance and they are currently revising those recommendations based on some input from the Mayor and Borough Administrator. He will provide that to Council once the revisions are made.

With regard to economic development, earlier this year we hired an economic development advisor. We directed him to complete investigation of best uses and provide a completed report to the Planning Board and Mayor for review. It is a very time consuming process and he expects the report to be completed by the end of November. The local Board of Ed did not change their position as to parking regarding the Smith School. He believes the lot remains closed except for student related sports and events.

Regarding the access to All Committee, we have a list of volunteers willing to participate and he has provided those names to the county; John the Business Administrator is working on scheduling a meeting with representatives of the county and he will provide more information as we proceed.

We now have a solid Historic Preservation Committee now and we have a Chair and a few other names we would like to appoint. He will provide this for the next meeting.

Councilmember Ruocco said he has been trying to create a senior citizen advisory committee but we are discussing an alternative approach that doesn't involve the creation of a new municipal committee, it will be a private committee making reports to the governing body. He needs to do more work with seniors. The next senior luncheon is October 19 at 11:30 at St. Johns. With respect to the financial committee, we had our meeting October 7, we reviewed aspects of the flood assessment plan and are awaiting further contact from the county in that regard. We reviewed the capital budget and set deadlines along the authority of Administrator DeJoseph; the operating budget is due from all the departments on December 15. CFO informed us with respect to our 9-1-1 system there is an aged account that payable from a few years ago and set forth a plan to have them pay back over the next two years. That is in the works. We reviewed the best practices check list which we have to send down to the state. If the answers are consistent with best practices we get a rebate on the taxes. We get to see all of our state aid.

Mayor Frank said it is not an incentive, it is a penalty.

Councilmember Ruocco said there is a little financial vigor for us. The finance committee will meet again on November 3 at 8AM. With respect to police and Office of Emergency Management, OEM informed him that they received approval from the property on Maria Drive regarding the placement of the second sensor. We are putting sensors in the brook, one sensor is just north of the bridge at Patterson and the other will be further north. They received approval from the home owner and that will be installed in the next couple of weeks. We have applied for reimbursement of expenses that we incurred during Sandy and that amounts to \$17,250. The emergency generator installed at the United Methodist Church still needs to provide input and

we are waiting for input from our building department so that a final inspection can be done. It is his understanding that the emergency generator is operational and could be used if we had such an emergency now. We are waiting for paper work from the vendor. OEM received necessary paper work from our DPW to make a claim for reimbursement from last year's snow storm expenses. Joan's Joy Child Safety Fun Fest was held in September and it was a great success. He admired Mrs. D'Alessandro's tenacity in focusing the public's attention on efforts to reform sentencing for convicted child molesters and murderers. Based on the input from Chief Francaviglia, he wrote to her and asked if she could not expand this event when she does it next year if she uses the same venue. It has certain ramifications for traffic on Broadway. He is awaiting her reply and he will report to the Council.

In his role as Liaison to the residents with respect to Demarest Farm, mediation sessions have concluded. Those parties, residents and the farm agreed to take certain steps and he would normally not be allowed to discuss them under the terms of the mediation settlement except in a closed session. Those steps don't seem to have helped the traffic safety situation on the west side and because of that he wanted to go through a quick rundown of the town hall meeting for purposes of the record. We had a town hall meeting on October 15 attended by approximately 100 residents, Chief Francaviglia, myself and the Mayor and the Sergeant. The primary purpose was to address the comments made by the public at the Board of Education meeting on October 5 with respect to the relationship between the Hillsdale Police and Demarest Farm. At that October 5th meeting, the Chief was also criticized for his view that the closing of the Smith School parking lot would exacerbate the parking and safety situation at Demarest Farms on fall weekends. He (the Chief) said this to the Board of Education both orally and in writing and he said it with my support and with the Mayor's support as well. I was at the Board of Education meeting and felt that some of the comments made by some about the Hillsdale Police Department being differential to the farm and those comments need to be addressed. It was decided to hold a town hall meeting a few days thereafter to clarify matters and at that meeting the Chief explained what the traffic control measures have been taken to date, and why he came to the view he did on the Smith School lot. The Chief had indicated that the Hillsdale Police Department had been enforcing all existing laws with respect to the farm in a professional and impartial manner. Both the Mayor and I concurred with that assessment. However, after listening to the public's comment, the Chief indicated that he would withdraw his letter to the Board of Education leaving the Board of Education free to make whatever decisions it thought appropriate with respect to the use of the lot without the input of the Hillsdale Police Department. During the town hall, the residents strongly made the case for greater and more immediate action by the governing body to address the unsafe traffic and parking conditions being experienced on the west side of town. The Mayor took the opportunity to explain what action had been taken to date by this body and the latter's role in the mediation process between a group of residents called the SOS Group and the farm. Because of the lack of observable improvement in parking and traffic on the west side since that mediation process concluded, both the Mayor and myself promised to redouble our efforts to discover a path to resolve the situation but warned at the meeting that it might not be as "immediate" as some of the residents seemed to demand. He and other municipal officials spent part of Sunday afternoon observing the parking and traffic situation on the west side and he believed the safety concerns expressed by the residents are real and have become worse in this past year despite actions taken by the farm pursuant to the mediation process engaged in with the residents. The farm is creating serious safety concerns for both its patrons and the residents; it simply cannot handle the volume of traffic that its marketing efforts have attracted. It is a victim of its own success and it is victimizing nearby residents. In my view it has to stop and it has to stop quickly.

DISCUSSION:

1. Stonybrook Pool Dome Enclosure – Councilmember Abby Lundy

Mayor Frank said that has been covered.

NEW BUSINESS:

CORRESPONDENCE:

1. Letter from Bo Petkovich dated September 23, 2016 requesting to hold the Pascack Valley Triathlon on Saturday, August 26, 2017. Request for approvals/concerns have been sent to:
Recreation/Stonybrook Director – Approved at their meeting 10/6/16
All Emergency Services – approved via email
DPW Superintendent - approved

Motion to receive, approve and file by Council President Pizzella, Second by Council Member Looes and unanimously carried.

PUBLIC COMMENT:

Mayor Frank invited the public to come to the podium, identify yourself by name and address.

Joan Cohn, 31 Royal Park Terrace -

She is present to address the cell phone tower issue. The Mayor received a letter dated September 28 from NJ Turnpike Authority addressing some of the concerns that were not addressed and informing us of their interpretation. After reviewing the letter we found there was some misinformation regarding the height of the tower and what was there before and we are also concerned about any additional antennas on telephone poles throughout Hillsdale. We have two very large cell phone towers already in Hillsdale. We are in opposition of any new towers.

Mayor Frank said he read it but hasn't received a hard copy as yet which they promised. He is not sure, but we appear to be at the end of the road; that is not the answer you want to hear and it wasn't the answer I wanted to hear. The New Jersey Turnpike Authority owns that property; we had a conference call with the Executive Director of the NJTA; we received support from the governor and Senator Cardinale and Assemblyman Auth was on the conference call and after spending a good amount of time on the phone with the Executive Director of the Turnpike Authority he told us there is nothing we can do about it. We have been given the edict by the Assembly to put cell towers along the highways to enhance the infrastructure of communications in the state. You can see them up and down the Parkway and up and down the Turnpike. I am not too sure what we can do, I personally am not so sure that my opinion as to what the height of the tower was, was it 85 or 80 but it wasn't 50. If you measure from the ground up to the tower that is on the bridge itself, you are looking at almost 80 ft. off the ground level. Right now he doesn't see a path to go back to them, they hold all the cards. We don't own that property and just as we found at in the past when people wanted to put a cell tower on our property and if we say no, they will find some other place to put it. They own that property and there is not much else we can do about it. We will keep looking at it and you are unhappy and I am not happy about it either. If AT&T insists it has to be in that location move it as far south into the trees away from the bridge. I haven't gotten an answer on that yet. That is about the only thing I see that we can do.

Ms. Cohn (Contd).

They didn't mention the Washington Avenue road overpass as one of the possible locations to research and review all the information and give an expert opinion as to that location for AT&T based on where they are and they did not mention that in the letter at all.

Mayor Frank agreed and the Executive Director told us that when they put the tower in that is further south on the median on the Parkway closer to the toll plaza and it is a 140 ft. tower, it cost them some outrageous amount of money to run the electrical equipment underneath the highway to get it there. I believe that the biggest stumbling block we have is that AT&T already has power and equipment at the base of that bridge and that is why they are inflexible as to where they want to put it. That is my belief, I can't say for sure. I think we put a good fight on it, I don't know how much more we can do about it but I am willing to keep looking at it. We used our State Senator, we got the governor's office involved, we used both our State Assembly people, we wrote letters, we have the COO of the Turnpike Authority here in this room meeting with the Borough Administrator and Council Member Karcich and I and spent a quite a bit of time trying to find an alternate site and trying to get them to move it. The letter tells you the result of all the efforts of your specialists, your attorney, our efforts, our state assembly people, our state senator and this is what we got back.

Ms. Cohn (Contd).

Since the letter was addressed to you, you could say they did not address the Washington Avenue road overpass at all because there is a grove of trees that would hide it and very few items in that area, no school in that area and would be a perfect location and our specialist said that based on him reviewing all AT&T locations this would be a perfect spot for them. We already have two huge cell phone towers and now we are going to have antennas going on telephone poles all throughout the town and it will become a town of cell phone towers.

Mayor Frank said we are a town of cell phones. Just about any place I go now you see people walking around looking down at cell phones, it is a serious issue and cell phones only work with cell towers. I am not defending what they are doing, I am not defending the fact that they turned us down, I am just saying at what point in time and where does this limited government of Hillsdale spend our time chasing after the same topic. We have to write one more letter.

Ms. Cohn (Contd).

There are no other towns that have the amount of cell towers, we are the only one. We will be known as the cell phone tower town.

Mayor Frank said I'm not sure of that, I hope not;. I think it's because of AT&T's power equipment and infrastructure at the bridge but we will write another letter. They have their own specialist as well as you know and they had them here at the initial meeting. It is our specialist vs. theirs and your specialist vs. theirs, I don't know where we go from there.

Councilmember Karcich said the letter they sent us about putting nodes on the telephone poles, they showed a graph where they showed homes with land line phones and people using land line phones in their home vs. cell phones is through the roof. It has issues with capacity, I am not defending them but that is the case they are making to the state that they need the support and we are a small body. The Mayor and I sat here for a good hour and half hammering them asking to find other options or what not and it is like smacking your head against the wall. I feel your pain.

Ms. Cohn (Contd).

She thanked the Council.

Mayor Frank said seeing no one, he closed the session to the public.

ORDINANCES: *(Adoption)*

16-13 – (Adoption)

AN ORDINANCE TO AMEND CHAPTER 224: PEDDLING AND SOLICITING OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HILLSDALE SO AS TO PROVIDE FOR THE CREATION AND MAINTENANCE OF A NON-SOLICITION LIST, COMMONLY KNOWN AS A “DO NOT KNOCK” LIST FOR RESIDENTS DESIRING TO BE PLACED THEREON

WHEREAS, the Borough of Hillsdale is desirous of establishing and maintaining a “Non-Solicitation” list, so as to allow residents to determine if they desire to prevent solicitors from approaching persons in their home.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hillsdale as follows:

§224-1 shall be amended to revise the definition of “solicitor” which shall read as:

SOLICITOR

A person who goes from house to house or from place to place selling merchandise by sample or by taking orders for future delivery, with or without accepting advance payments for the goods, regardless of whether the solicitation is made by mail, telephone or personal contact. The provisions of this chapter shall apply to the person who comes in personal contact with the buyer, whether he obtains the order, delivers the goods or accepts money in payment for them. Solicitor shall also mean any person who goes from house to house or from place to place for the purpose of offering services, makes inquiries concerning real estate, obtaining alms, contributions or subscriptions or who does research analyses, makes surveys or opinion polls, obtains rating data or similar information or who engages in any similar work which involves a door-to-door or place-to-place activity.

§224-11 shall be added as follows:

§224-11 Entering on Posted Property Prohibited

No trade solicitor or canvasser shall enter onto any property on which is located a sign or signs stating "no solicitors" or carrying a similar message forbidding the entry of any persons onto the property.

§224-12 shall be added as follows:

§224-12 Collection, Preparation and Maintenance of a Nonsolicitation List.

- A. Collection, preparation and maintenance of a nonsolicitation list. The Office of the Borough Administrator/Clerk shall collect, prepare and maintain a list of addresses of those premises where the owner and/or occupant has notified the Clerk that soliciting and canvassing is not permitted on his/her premises. To be included on the nonsolicitation list, residents shall complete a form supplied and maintained by the Borough, without cost to the resident. With the adoption of this section, the Office of the Clerk shall make the form available to all residential property owners or occupants and may distribute same thereafter in any manner directed by the Governing Body.

- B. The Borough Administrator/Clerk, or their designees, shall submit the nonsolicitation list to the Chief of Police on a quarterly basis, which nonsolicitation listing shall be distributed to applicants seeking a license to solicit or canvass pursuant to the provisions of this chapter. The applicant shall acknowledge, in writing, receipt of this list as part of the application process. The licensee shall not solicit or canvass at any address on the nonsolicitation list.
- C. On or about January 1, April 1, July 1 and October 1 of each year, the Office of the Clerk shall update the list. The updated list shall then be forwarded to the Chief of Police for distribution to solicitors and/or canvassers. Nothing herein shall prohibit the more frequent updating of the list by the appropriate Borough Official.
- D. Any solicitor or canvasser violating the provisions of this section as described above shall be punishable by a fine and/or imprisonment as prescribed in § 226.

All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

Motion to open public hearing on Ordinance 16-13 Councilmember DeRosa, Second by Councilmember Karcich, and unanimously carried.

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 16-13, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

I entertain a motion that the public hearing on Ordinance No. 16-13 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Acting Clerk is authorized to advertise the same according to law.

Motion to close public hearing on Ordinance 16-13 by Council President Pizzella, Second by Councilmember Karcich, and unanimously carried.

Motion to adopt Ordinance No. 16-13 by Councilmember Ruocco, Second by Karcich.

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Looes, Lundy, Ruocco, Council President Pizzella

Nays: None

RESOLUTIONS:(Consent Agenda): R16208 through R16227:

R16208 Resolution Authorizing the Mayor and the Borough Administrator to Apply and Sign the Application to Obtain a Grant from the New Jersey Department of Community Affairs

WHEREAS, the Borough of Hillsdale desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$17,347.66 to carry out a project to recover the 10% balance from Hurricane Sandy Recovery; and

BE IT THEREFORE RESOLVED, that the Borough of Hillsdale does hereby authorize the application for such a grant; and, recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the term of the agreement between the Borough of Hillsdale and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith;

R16209 Resolution Hiring Temporary Laborer William Nicoletti Jr.- DPW

WHEREAS, there exists a need for a Temporary Laborer within the Borough of Hillsdale Department of Public Works; and,

WHEREAS, William Nicoletti Jr. meets the requirements to fill the position at the Department of Public Works; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council Borough that William Nicoletti Jr is hereby appointed to the position of Temporary Laborer in the Department of Public Works, effective approximately October 31, 2016 until December 23, 2016 or later if the Boroughs needs change, at the rate of \$13.00 per hour.

R16210 Resolution Hiring Temporary Laborer John Horn– DPW

WHEREAS, there exists a need for a Temporary Laborer within the Borough of Hillsdale Department of Public Works; and,

WHEREAS, John Horn meets the requirements to fill the position at the Department of Public Works; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council Borough that John Horn is hereby appointed to the position of Temporary Laborer in the Department of Public Works, effective approximately

October 31, 2016 until December 23, 2016 or later if the Boroughs needs change, at the rate of \$13.00 per hour.

R16211 Approval to Submit a Grant Application with the Bergen County Division of Community Development for the Borough of Hillsdale Senior Activities for FY 2017

WHEREAS, the Mayor and Council of the Borough of Hillsdale wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$6000.00 in FY 2017 Community Development Block Grant funds for the Senior Citizen Activities in the Borough of Hillsdale; and

WHEREAS, the Mayor and Council hereby authorizes Patricia Hughes, Recreation Director to be a signatory for the aforesaid grant agreement; and

WHEREAS, the Mayor and Council recognizes that the Borough of Hillsdale is liable for any funds not spent in accordance with HUD requirements; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Hillsdale hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

R16212 Resolution Authorizing a Grant Agreement with the Bergen County Division of Community Development for the Borough of Hillsdale Senior Activities for FY 2016

WHEREAS, the Mayor and Council of the Borough of Hillsdale wishes to enter into a Grant Agreement with the County of Bergen (contract number PS-HILLSSR16) for the purpose of using \$3530.00 in FY 2016 Community Development Block Grant funds for the Senior Citizen Activities in the Borough of Hillsdale; and

WHEREAS, the Mayor and Council hereby authorizes Jonathan DeJoseph, Borough Administrator to be a signatory for the aforesaid grant agreement; and

WHEREAS, the Mayor and Council recognizes that the Borough of Hillsdale is liable for any funds not spent in accordance with HUD requirements; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Hillsdale hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

R16213 Resolution Authorizing the Execution of an Interlocal Agreement for Street Sweeping Services by and between the Borough of Hillsdale and the Borough of Paramus

WHEREAS, the Borough of Hillsdale and the Borough of Paramus seek to enter into an Interlocal Agreement wherein the Borough of Paramus will provide street sweeping services for the Borough of Hillsdale three (3) times annually; and,

WHEREAS, both of the parties to such Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the “Interlocal Services Act” N.J.S.A. 40:8A-1 et seq.; and,

WHEREAS, the governing bodies of the Borough of Hillsdale and the Borough of Paramus recognize that the implementation of an Interlocal Agreement to provide street sweeping services is in the best interest of the taxpayers of the respective municipalities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale hereby authorize the execution of an Interlocal Services Agreement with the Borough of Paramus for a period of one (1) year.

BE IT FURTHER RESOLVED that the Agreement shall commence on January 1, 2017 and end on December 31, 2017.

BE IT FURTHER RESOLVED that the cost of same shall be per street sweeping Four Thousand Five Hundred Dollars (\$4,500.00) for a total annual cost of Thirteen Thousand Five Hundred Dollars (\$13,500.00).

BE IT FURTHER RESOLVED that the cost of street sweeping services for special events with a maximum of five (5) miles of roadway for one (1) time sweep at a cost of \$400.00.

BE IT FURTHER RESOLVED that the Agreement shall take effect upon the execution of same and adoption of Resolutions by both parties as provided by law

BE IT FURTHER RESOLVED that a copy of the Agreement be maintained on file and open to public inspection at the office of the Borough Clerk.

R16214 Resolution Appointing Finance Assistant

WHEREAS, there presently exists a need on the part of the Borough of Hillsdale (“Hillsdale”) to hire a Finance Assistant; and

WHEREAS, Hillsdale, by adoption of this Resolution, wishes to appoint Dawn Wheeler to the position of Finance Assistant as set forth in this Resolution; and

NOW, THEREFORE, BE IT RESOLVED by the governing body that Dawn Wheeler be and hereby is appointed Finance Assistant for the Borough of Hillsdale, the terms and conditions of which employment

are set forth in the Offer Letter to Dawn Wheeler dated October 18, 2016, the terms of which are incorporated herein by reference.

R16215 Resolution Authorizing Disposal of Surplus Property Conducted through GovDeals

WHEREAS, the Borough of Hillsdale is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Municipal Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council in the Borough of Hillsdale in the County of Bergen as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk’s Office;
- (2) The sale will be conducted online and the address of the auction site is govdeals.com;
- (3) All buyers premiums to be paid by the purchaser;
- (4) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (5) A list of the surplus property to be sold is as follows:

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL/TYPE</u>	<u>VIN or SERIAL NUMBER</u>	<u>TAG #</u>	<u>Minimum Bid Amount</u>
2004	Dodge	Durango	1D4HB38N84F224556	1409	\$500.00
		Police Department Recorders & Misc IT Equipment			\$150.00
1983	Homemade	Trailer (yellow)	WK1993		\$20.00
	Weather Decision	Lightning Detection System			\$200.00

	Technology				
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(6) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(7) The Borough Administrator sets the auction date.

R16216 Resolution Authorizing Bergen County cooperative Pricing system #11-BeCCP; Contract Purchasing System #CK04 – Service/Commodity: Diesel Fuel

WHEREAS, the Borough of Hillsdale is a member of the Bergen County Cooperative Pricing System and desires to use the Co-Op for the purchase of Automotive Parts & Accessories; and

WHEREAS, the Bergen County Cooperative Pricing System (ID #11-BeCCP), awarded to various vendors under the Co-Op Bid #15-64 for the purchase of said Automotive parts & Accessories; and

WHEREAS, the Contract Period is September 21, 2016 through September 20, 2017; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of Hillsdale authorizes the purchase of Automotive Parts & Accessories under the Bergen County Cooperative Pricing System ID #11-BeCCP, Bid #15-64 under the county contract prices.

R16217 Resolution Authorizing Bergen County cooperative Pricing system #11-BeCCP; Contract Purchasing System #CK04 – Service/Commodity: Rock Salt

WHEREAS, the Borough of Hillsdale is a member of the Bergen County Cooperative Pricing System and desires to use the Co-Op for the purchase of Automotive Parts & Accessories; and

WHEREAS, the Bergen County Cooperative Pricing System (ID #11-BeCCP), awarded to various vendors under the Co-Op Bid #16-59 for the purchase of said Automotive parts & Accessories; and

WHEREAS, the Contract Period is October 1, 2016 through September 30, 2017; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of Hillsdale authorizes the purchase of Automotive Parts & Accessories under the Bergen County Cooperative Pricing System ID #11-BeCCP, Bid #16-59 under the county contract prices.

R16218 Resolution Place-To-Place Transfer of plenary Retail Alcoholic Beverage Consumption License No. 0227-44-005-007 for Shop Rite Liquors of Hillsdale, Inc.

WHEREAS, an application has been filed for a Place-to-Place Transfer of Plenary Retail Consumption License Number 0227-44-005-007, issued to Shop Rite Liquors of Hillsdale, Inc for premise heretofore located at 372 Broadway, Hillsdale, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and,

WHEREAS, the required legal notices have been placed in The Record Newspaper, one of the Borough's Official Newspapers on Wednesday August 24, 2016 and on August 31, 2016

WHEREAS, the Place to Place Transfer of Plenary Retail Alcoholic Beverage Consumption License No, 0227-44-005-007 for Shop Rite Liquors of Hillsdale, Inc will be effective as of October 27, 2016.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Hillsdale Governing Body does hereby approve, effective September 6, 2016, the Place-to-Place Transfer of the aforesaid Plenary Retail Consumption licensed premises, from its former location at 372 Broadway, Hillsdale, New Jersey, and does hereby direct the Acting Borough Clerk/A.B.C. Board Secretary to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to premises located at 371 Broadway, Hillsdale, New Jersey."

R16219 Payment of Bills

BE IT RESOLVED, by the Borough Council of the Borough of Hillsdale that the following bill in the sum of \$3,837,098.55 as authorized by the Department Head and approved by a Council member liaison, be paid; and that the Mayor, Clerk and Certified Municipal Financial Officer be and they are hereby authorized and directed to issue warrants in payment of same.

R16220 Resolution Supporting the 2016 Drive Sober or Get Pulled Over Year End Holiday Crackdown

WHEREAS, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

WHEREAS, 22% of motor vehicle fatalities in New Jersey in 2013 were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 9, 2016 through January 1, 2017; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE, BE IS RESOLVED that the Borough of Hillsdale declares it's support for the *Drive Sober or Get Pulled Over 2016 Year End Holiday Crackdown* from December 9, 2016 through January 1, 2017 and pledges to increase awareness of the dangers of drinking and driving.

R16221 Resolution Authorizing the Borough Clerk to Advertise Requests for Qualifications for Borough Professionals

BE IT RESOLVED, that pursuant to N.J.S.A. 19:44A-20.4, et seq. that the Borough Clerk is hereby authorized to advertise for the above mentioned services for the following positions for year 2017:

- Borough Attorney
- Borough Auditor
- Borough Appraiser
- Borough Bond Counsel
- Borough Engineer
- Borough Labor Attorney
- Attorney for Tax Appeals
- Borough Prosecutor
- Alternate Borough Prosecutor
- Borough Planner
- Borough Public Defender
- Risk Management Insurance Consultant
- Library Auditor

Financial Advisor

R16222 Resolution Endorsing the 2017 Community Development Block Grant ADA Compliant Improvements - Borough Right-of-Way Ramps

WHEREAS, a Bergen County Community Development grant of \$45,000 has been proposed by the Borough of Hillsdale for ADA compliant improvements to public ramps within the Borough right-of-way in the Borough of Hillsdale and;

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and;

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Hillsdale, and;

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Hillsdale hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

R16223 Resolution approving Submission of the Best Practices Checklist Inventory to the Director of the Division of Local Government Services on Behalf of the Borough of Hillsdale

WHEREAS, Local Finance Notice 2016-13 requests that the municipality shall submit by October 21, 2016 to the Director of the Division of Local Government Services a report describing the municipality's compliance with the "Best Practices Inventory" established by the Director of the Division of Local Government Services, and

WHEREAS, the Department of Community Affairs established the Best Practices Inventory on August 27, 2012, and

WHEREAS, the report is required to be signed by the Chief Financial Officer, Borough Administrator and the Municipal Clerk; and

WHEREAS, the members of the governing body have reviewed the Best Practices Inventory questions and the answers being submitted; and

WHEREAS, the Borough of Hillsdale has achieved a score of 90%, which would entitle the Borough of Hillsdale to 100% of the State Aid to which it is entitled; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hillsdale that the Local Government Best Practices Checklist, as completed by the Chief Financial Officer, is hereby approved for submission to the Director of Local Government Services.

R16224 Resolution Amending and Adopting the Employee Handbook for the Borough of Hillsdale

WHEREAS, the Borough of Hillsdale (“Borough”) has heretofore adopted an Employee Handbook discussing and setting forth various issues and policies with respect to the employees of the Borough; and

WHEREAS, from time to time the Employee Handbook is reviewed and updated as determined necessary or desirable by the Mayor and Council; and

WHEREAS, the Mayor and Council are entitled to amend and supplement the Employee Handbook at their sole discretion; and

WHEREAS, the Mayor and Council have determined it is desirable to make certain amendments and/or supplements to the Employee Handbook currently in effect; and

WHEREAS, such amendments and/or supplements have been made and incorporated into the Employee Handbook dated October 18, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hillsdale that the Employee Handbook having a date of October 18, 2016, and all amendments and supplements presently set forth therein, be and hereby is **APPROVED** and **ADOPTED**; and

BE IT FURTHER RESOLVED that the Borough Administrator, the Borough Attorney, and the Borough Labor Counsel are authorized to take all appropriate actions so as to implement this Resolution.

R16225 Resolution authorizing the Mayor and the Acting Borough Clerk to Enter into a Memorandum of Understanding Between the New Jersey Vehicle Commission and the Borough of Hillsdale

WHEREAS, the State of New Jersey, Motor Vehicle Commission, hereinafter called the “Commission” or “the MVC”, makes, maintains or keeps on file as required by law certain driver license, vehicle, and vessel records of individuals licensed and vehicles and vessels registered in this State; and

WHEREAS, The Commission also maintains, as an administrative convenience, a computer record of the aforementioned records, hereinafter called the “database”; and

WHEREAS, the database is not a public record and the information in the database is not required to be released under the New Jersey Open Public Records Act, N.J.S.A. 47:1 A-1 et seq. (P.L. 2001, c.404), but may be released at the discretion of the Commission in such a manner as may be determined by the Commission to be administratively appropriate and in accordance with applicable laws and regulations; and

WHEREAS, the Commission in its discretion has established a Limited Online Access Program, hereinafter call the “Online Program”, to provide certain information contained in the database, via electronic communications, to businesses or public entities that demonstrate a beneficial interest in and legitimate business use of the database information; and

WHEREAS, The Borough of Hillsdale herein after called the “Program Participant”, in its application for participation in the online Program, has demonstrated a beneficial interest in and legitimate business use of the database information; and

WHEREAS, The Provision of such information via electronic communications to the Program Participant is consistent with the laws of the State and with the Commission’s policy to balance the needs of the business community with the privacy needs of the public when providing information from the database.

NOW, THEREFORE, BE IT UNDERSTOOD AND AGREED BY AND BETWEEN THE Commission and the Program Participant that for and in mutual consideration of the covenants herein and pursuant to all federal and State laws and regulations that are stipulated in the agreement.

R16226 Resolution Hiring Temporary Laborer Chris Kelley– DPW

WHEREAS, there exists a need for a Temporary Laborer within the Borough of Hillsdale Department of Public Works; and,

WHEREAS, Chris Kelley meets the requirements to fill the position at the Department of Public Works; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council Borough that Chris Kelley is hereby appointed to the position of Temporary Laborer in the Department of Public Works, effective approximately October 31, 2016 until December 23, 2016 or later if the Boroughs needs change, at the rate of \$13.00 per hour.

R16227 Emergency Road Closure and Emergency “No Parking” on Municipal Streets West of Pascack Road

WHEREAS, the Mayor and Council of the Borough of Hillsdale have been made aware of a dangerous condition on the west side of the Borough due to the volume of vehicle and pedestrian traffic; and

WHEREAS, the situation has become untenable and a matter of public health, safety and welfare for all persons and emergency services personnel; and

WHEREAS, the Hillsdale Police Chief concurs with the severity of the situation and that the situation has become an imminent danger to all persons; and

WHEREAS, Mayor and Council are required to act to rectify the situation on an emergency basis and assure public health, safety and welfare; and

WHEREAS, Borough Code §292-3 authorizes the Chief of Police to take emergency measures including the closing of any street and the Police Department is authorized to implement emergency “No Parking”:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hillsdale hereby directs that the Chief of Police take all steps necessary to protect health, safety and welfare through emergency road closures and emergency “No Parking”, as necessary, on Borough streets West of Pascack Road between the hours of 7:00 am and 6:00 pm on the following weekends: October 22-23, 2016; October 29-30, 2016; and November 5-6, 2016.

Councilmember Looes had a question on R15214. The Resolution says Finance Assistant conditional offer of employment listed Tax Collector and Finance Assistant and she was curious are we getting someone else. I was just wondering the difference between them.

Mayor Frank said because our Tax Collector is retiring next month, we are hiring a new person as the Finance Assistant and as soon as our Tax Collector retires, we will pass another resolution.

Borough Administrator DeJoseph said that was a complicated resolution.

Councilmember DeRosa asked to pull Resolution R16224, he hasn't had enough time reviewing the employee handbook.

Mayor Frank said don't vote on it, we are going to vote on it.

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Looes, Lundy, Ruocco, Council President Pizzella

Abstain: Councilmember DeRosa abstained on Resolution R16224.

Nays: None

Mayor Frank said on Emergency Parking we will doing a number of ways of communicating once we have the plan which will be done in the next day or so.

OFF-CONSENT:

COUNCIL COMMENTARIES:

Councilmember Lundy congratulated to Jenna Szabo, Lois Kohan and Cindy Greenwald on their achievements.

Councilmember Ruocco congratulated the Hillsdale Police Department for the sign on Broadway heading south. It cuts the speed down coming down on Broadway. The Boy Scout Eagle Project has been completed and the sign outside the Borough Hall looks marvelous. It is a decorative and artistic sign plus a planter box and he will work with the Borough Administrator to create a plaque recognizing the project as well as the original donor of the frame. He complemented Candace Schaeffer our Tax Collector who is

retiring. She is a marvelous individual; when he became Councilman she was extremely helpful in explaining why/how things were done in town. I will miss her. I welcome her replacement Dawn Wheeler, the new Tax Collector. He congratulated Lois Kohan and Cindy Greenwald for their 25 years of service, it is an accomplishment. Lois and I go back many years, my son played baseball against one of sons, and it was always a pleasure to go to the games.

Council President Pizzella did not report on the Planning Board but he wanted to clarify something. Waste Management permit renewal is a separate issue and it is unrelated to the application proposed for what is commonly known as the Walsky property. That is a long pending application before the Planning Board, it is within the purview of the Planning Board to approve or deny that application, this Council has no say in that application. Both the Mayor and myself sit on the Planning Board are prohibited from participating in the process.

As you all know, I have been a proponent of revitalization economic growth in Hillsdale for some time. I am opposed to the permit renewal for Waste Management; Waste Management prohibits any increase in value for that entire area, it negatively impacts the businesses in the area as well as potential businesses that would want to come to the area. It also negatively impacts the value of the homes of the residents in the area. This is an entity that pays a little more than many property owners do in Hillsdale, they left their property over two years ago in an unsafe condition and are now looking for their permit to be renewed so that they can transport 900 tons of garbage through our streets without paying host fees, not an offer of a dime to the borough; they were allowed to exit without any renegotiation and their agreement or even an exit strategy I don't want my town to be the garbage receptacle for the Pascack Valley and beyond. If you agree with me I would again ask that you please sign the on line petition; we have 600 signers so far and we would like to get more. You can get that at www.gopetition.com and do a search for say no to Waste Management.

I was the Chair of an event at the Meadowbrook School this past week and I truly needed help. I sent an email to the high school students via John Puccio who is the Vice Principal. I cannot tell you how quickly I had over 60 students sign up to help me within an hour. I was desperate and they were great and it was a good thing to see, they also stepping up decorate the windows downtown for the Halloween event. He thanked all of the high school students from Pascack Valley High School who helped. Halloween in Hillsdale will be October 29 from 3PM to 8PM and starts with the Ragamuffin Parade which will parade through Hillsdale and end up in front of George White. There will be food, DJ games, treats, pumpkins and even a Halloween movie; all proceeds go to the Hillsdale Railroad Restoration Fund. You can make a check also to the Borough of Hillsdale and in the note section please add Hillsdale Railroad Restoration Fund. He also thanked all Hillsdale volunteers and let you know that the fourth annual Bergen County Historical Preservation Happy Hour will be October 27, \$25.00 per person, at the Emerson Plaza East Hotel and he will post it on the bulletin board.

Councilmember Karcich said tonight we passed all of those resolutions and we are going to get a tank at the DPW where we are holding our diesel fuel so our men don't have to go to Westwood to fuel up their vehicles for leaf removal or snow removal and we hope it will speed up the services we do.

Councilmember Looes wanted to thank all the people who had given their time and talents to the town as a community be it as an employee, be it as an elected official or as a volunteer. Lois was a great example of someone who lived in the town, got a part time job and got a full time job and throughout all those years, she has continued to give of herself in many different venues and wanted to say thank you to her and anyone else who does that.

Councilmember DeRosa thanked EMS, Police, Fire and Ambulance and the County for the open house last weekend. We have one more meeting but he wanted to remind everyone that Veterans Day is November 11. Pascack Valley High School is having their homecoming barbecue on Saturday, October 29, from 11:30 AM to 4:30 PM, \$10.00 per person. It is a great event.

Borough Administrator DeJoseph thanked the DPW who changed all of our traffic lights in town that the borough owns from incandescent which requires a lot of maintenance to all Led and we were able to do it under state contract through a DOT vendor. You won't notice the difference but it will decrease our electric bill and decrease maintenance.

Deputy Denise Kohan said today is the last day to register to vote so if you haven't done so, there is a box in the hall. It has to be in by today; November 1st is the last day to apply for a mail in ballot and Fright Night has been cancelled. She did not know if everyone was aware of that; it was October 22. Next year they are looking to change it. She thanked Lois Kohan for all her work, she is an inspiration to me, and she is not only my mother-in-law but all the hard work she gives to the town. Congratulations to Cindy, my kids use the Library a lot.

Mayor Frank extended his congratulations to Cindy Greenwald and certainly to Lois. Lois is the heart of Hillsdale when it comes to Hillsdale Helping Hillsdale and the food pantry as well as her duties as public nurse for 25 years. People like this are hard to find in a town and who are willing to commit to the town and he offered his congratulations.

He seconded Council President Pizzella's comments about Waste Management. It is a separate issue, the Planning Board and development in town; it has nothing to do with a garbage transfer in the middle of our town. We do have a petition and he hoped everyone signs it. It was a very interesting weekend starting on Saturday with a meeting with the residents; we have to recognize that this Council can do some things but we can't do everything. We are willing to work very hard on just about any project but there comes a time when we are banging our heads against the wall and we are all part time people up as well. We are putting in a lot of hours, we try to get a lot of good things done for the town, and we can't accomplish everything. Fortunately, we may have one solution for the meeting that we had on Saturday that we passed a resolution on tonight and we will be working on the plans in the next day or two. When things get to the emergency situation and there is true public safety and it is that obvious, we don't care about anything; the residents come first and that is what we did tonight. Please understand that. We had a number of request on pothole repairs and the DPW is going out this week to do some of the patches, we want to get done before the weather gets too cold. He wished get well wishes to Lee Meyer a great volunteer in town.

ADJOURN TO CLOSED SESSION:

R16228 To provide for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act N.J.S.A. 10:4-12 – *Demarest Farms Mediation*

WHEREAS, the Borough Council of the Borough of Hillsdale is subject to certain requirements of the Open Public Meetings Act N.J.S.A. 10:4-6 et seq; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12 provides that an Executive Session not open to the public may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough Council of the Borough of Hillsdale to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12(b) and designated below:

- (1) Matters required by law to be confidential. - *Demarest Farms Mediation*
- (2) Matters where the release of information would impair the right to receive funds.
- (3) Matters involving individual privacy.
- (4) Matters relating to collective bargaining
- (5) Matters relating to the purchase, lease or acquisition of real property or the investment of public funds.
- (6) Matters relating to public safety and property.
- (7) Matters relating to litigation, negotiations and the attorney-client privilege –
- (8) Matters relating to the employment relationship
- (9) Matters relating to the potential imposition of a penalty.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Hillsdale assembled in public session this date that an Executive Session closed to the public be and the same is hereby authorized for discussion of matters relating to the specified items designated above. It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

Motion to adjourn to closed session by Council President Pizzella, Second by Councilmember Looes, and unanimously carried.

RECONVENE REGULAR MEETING: @

Motion to reconvene by Councilmember Looes, Second by Councilmember Lundy, and unanimously carried.

ADJOURNMENT: @

Motion to adjourn by Councilmember Looes, Second by Councilmember Lundy, and unanimously carried.

THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
Tuesday, November 1, 2016 ~BEGINNING AT 7:30 P.M.

Denise Kohan, Acting Municipal Clerk

APPROVED AS PRESENTED

Denise Kohan, Acting Municipal Clerk